

**CHAPTER NO. 734**

**HOUSE BILL NO. 2238**

**By Representative Buck**

**Substituted for: Senate Bill No. 2483**

**By Senator Haynes**

AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 6, relative to workers' compensation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-6-128, is amended by deleting the section in its entirety and by substituting instead the following:

50-6-128. If any employer knowingly, willfully, and intentionally causes a medical or wage loss claim to be paid under health or sickness and accident insurance, or fails to provide reasonable and necessary medical treatment, including a failure to reimburse when the employer knew that the claim arose out of a compensable work-related injury and should have been submitted under its workers' compensation insurance coverage, then a civil penalty of five hundred dollars (\$500) shall be assessed against such employer, and the employer may not offset any sickness and accident income benefit paid to the employee against its temporary total disability benefit payment liability due to the employee pursuant to the provisions of this chapter. The Commissioner of Labor and Workforce Development shall have the authority to assess and collect such civil penalty.


SECTION 2. This act shall take effect July 1, 2000, the public welfare requiring it.

**PASSED: May 8, 2000**

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 17<sup>th</sup> day of May 2000**

  
DON SUNDQUIST, GOVERNOR